

212883US2



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
Yasukazu MUKOGAWA, et al. : EXAMINER: CINTINS, I
SERIAL NO: 09/930,132 :
FILED: AUGUST 16, 2001 : GROUP ART UNIT: 1724
FOR: ULTRAPURE WATER PRODUCING
APPARATUS

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, DC 20231

SIR:

In response to the Restriction Requirement stated in the Official Action dated December 17, 2002, Applicants provisionally elect Group (Invention) II, Claims 5-8, drawn to an ultrapure water producing apparatus, classified in class 210, subclass 284.

Applicants respectfully traverse the outstanding Restriction Requirement for several reasons.

MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

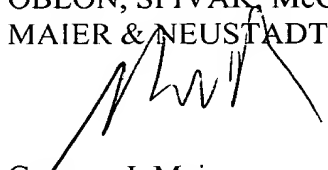
In the present application, Claims 1-11 are all directed to ultrapure water producing apparatus. Hence, it appears that these claims according to the present invention are part of an overlapping search area and that a search for Claims 5-8 would necessarily include the

subclasses required for a search directed to the rest of the claims as well. It is therefore believed that there is no undue burden on the Examiner to search all the claims under MPEP §803, and Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-11 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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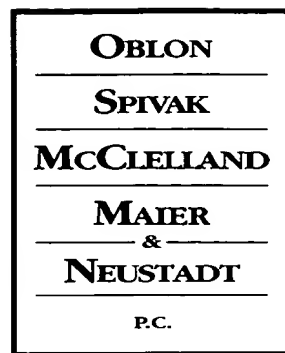


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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/930,132

Applicants: Yasukazu MUKOGAWA, et al.

Filing Date: August 16, 2001

For: ULTRAPURE WATER PRODUCING APPARATUS

Group Art Unit: 1724

Examiner: CINTINS, I

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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